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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA, For the
Use of Benefit of SOURCE HELICOPTERS,
12 DIVISION OF ROGERS HELICOPTERS,
INC., a California Corporation,

13 Plaintiff,

14 vs.

15 SAYERS CONSTRUCTION, LLC, a Texas
limited liability company; PHILADELPHIA
16 INDEMNITY INSURANCE COMPANY, a
Pennsylvania Corporation; and DOES I-V and
17 ROE CORPORATIONS I-V,

18 Defendants.

CASE NO. 2:19-cv-01602-JCM-EJY

**STIPULATION AND ORDER TO
DISMISS PHILADELPHIA INDEMNITY
INSURANCE COMPANY WITH
PREJUDICE**

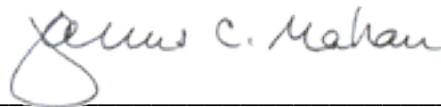
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20 Use-Plaintiff, Source Helicopters, Division of Rogers Helicopters, Inc. (“Rogers”) and
21 Defendant Philadelphia Indemnity Insurance Company (“PIIC”), entered into a settlement agreement
22 and mutual release. As a condition to the settlement agreement, Rogers and PIIC agreed to stipulate
23 to dismiss Rogers’ Complaint against PIIC. Rogers and PIIC by and through their attorneys, and
24 pursuant to Fed.R.Civ.P. 41(a)(2), hereby stipulate that Rogers’ claims against PIIC are dismissed
25 with prejudice. Rogers and PIIC will bear their own attorneys’ fees and costs as to each other but
26 reserve and do not waive all their rights and remedies to recover attorneys’ fees and costs from any
27 other person or entity.
28

Due to Rogers' dismissal of PIIC, PIIC and Sayers request that the calendar call set for November 29, 2023, and the trial set for December 4, 2023 be vacated.

Sayers Construction, LLC, ("Sayers") is not included in this stipulation as Sayers petitioned for Chapter 7 bankruptcy on December 16, 2022 in Case No. 22-10838 in the United States Bankruptcy Court for the Western District of Texas, Austin Division ("Bankruptcy Case"). (ECF No. 133).

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IT IS SO ORDERED July 27, 2023.



UNITED STATES DISTRICT JUDGE